

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

PAUL ROSBERG,

Defendant.

8:13MJ268

MEMORANDUM AND ORDER

In this Memorandum and Order, I clarify two things regarding my decision to hold a preliminary hearing in this matter on Friday, September 20, 2013.

First, I urge the government to call as a witness Joseph Saul. It is doubtful that I will find probable cause to believe Rosberg committed a crime based upon hearsay testimony about what Saul allegedly told law enforcement authorities. The government would also be well advised to call as a witness Jesse Knife, Saul's brother. Knife may have given a statement to the government that contradicts what Saul told the government and that matter should be clarified given the fact that as the record stands now Saul is the only percipient witness.

Second, on Friday, September 20, 2013, I will hold the hearing between 9:00 AM and 11:00 AM (not 11:30 AM as previously stated) and 1:45 PM and 5:00 PM in the Special Proceedings Courtroom in Omaha. I have another matter scheduled that requires this slight alteration in the schedule.

IT IS SO ORDERED.

IT IS ALSO ORDERED that the Clerk shall mail a copy of this Memorandum and Order to Paul Rosberg at his place of confinement. The Clerk shall also provide the United States Marshals Service with a copy of this Memorandum and Order. Of course, the Clerk shall additionally provide notice of this document to counsel for the government and standby counsel for Rosberg.

DATED this 16th day of September, 2013.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge